

46.12 Notification of vacancy and resignation.

1. When a vacancy occurs or will occur within one hundred twenty days in the supreme court, the court of appeals, or district court, the state commissioner of elections shall forthwith so notify the governor. The governor shall call a meeting of the proper judicial nominating commission within ten days after such notice; if the governor fails to do so, the chief justice shall call such meeting.

2. When a judge of the supreme court, court of appeals, or district court resigns, the judge shall submit a copy of the resignation to the state commissioner of elections at the time the judge submits the resignation to the governor; and when a judge of the supreme court, court of appeals, or district court dies, the clerk of district court of the county of the judge's residence shall in writing forthwith notify the state commissioner of elections of such fact.

[C66, 71, 73, 75, 77, 79, 81, §46.12]

[89 Acts, ch 18, §1](#); [2003 Acts, ch 151, §1, 64](#); [2019 Acts, ch 89, §57, 60](#)

Referred to in [§602.2301](#), [602.8102\(4\)](#)